

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DEC 21 2010

JULIA C. DUDLEY, CLERK
BY: *H McDonald*
DEPUTY CLERK

ROBERT TRUSSELL,)	Civil Action No. 7:10-cv-00542
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
JOHN B. METZIGER,)	By: Hon. Jackson L. Kiser
Defendant.)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the complaint is **DISMISSED without prejudice**, pursuant to 28 U.S.C. § 1915A(b)(1); all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 21st day of December, 2010.

Jackson L. Kiser
Senior United States District Judge